

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

MICHAEL ANDREW KITCHEN
#189265,

Plaintiff,

v.

GRETCHEN WHITMER, HEIDI
WASHINGTON and BRIAN
SHIPMAN,

Defendants.

NO. 2:18-cv-11430

HON. LAURIE J. MICHELSON

MAG. ANTHONY P. PATTI

Matthew J. Lund (P48632)
Deborah Kovsky-Apap (P68258)
Joshua Zeman (P80055)
Attorneys for Plaintiff Kitchen #189265
Troutman Pepper Hamilton Sanders LLP
4000 Town Ctr Ste 1800
Southfield, MI 48075-1505
(248) 359-7370
matthew.lund@troutman.com
joshua.zeman@troutman.com

Zachary A. Zurek (P80116)
Michigan Dep't of Attorney General
Assistant Attorneys General
Attorneys for Defendants
Shipman, Whitmer, & Washington
Corrections Division
P.O. Box 30217
Lansing, MI 48909
(517) 335-3055
Zurekz1@michigan.gov

DEFENDANTS' NOTICE OF APPEAL

Defendants, Governor Gretchen Whitmer, Michigan Department
of Corrections Director Heidi Washington, and Parole Board
Chairperson Brian Shipman, through counsel, hereby provide notice of
their appeal to the United States Court of Appeals for the Sixth Circuit

of the judgment issued in this case (ECF No. 124, PageID.1520) and the District Court's Opinion and Order denying Defendants' motion to dismiss for lack of subject matter jurisdiction. (ECF No. 31, PageID.150-159.)

Respectfully submitted,

/s/ Zachary A. Zurek
Zachary A. Zurek
Attorney for Defendants
Michigan Dept of Attorney General
Corrections Division
P.O. Box 30217
Lansing, MI 48909
(517) 335-3055
P80116

Dated: December 28, 2022

CERTIFICATE OF SERVICE (EFILE)

I hereby certify that on December 28, 2022, I electronically filed the *foregoing document(s)* together with this *Certificate of Service* with the Clerk of the Court, through the ECF system, which will provide electronic copies to counsel of record

/s/ Zachary A. Zurek
Zachary A. Zurek (P80116)
Attorney for Defendants
Michigan Dept of Attorney General
Corrections Division